THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.6742 of 2006

Dt.6.4.2006

Between:

Pedasingu Narasimha Rao and others

… Petitioners

And

Gram Panchayat, Pallipalem,
Sakhinetipalli Mandal, East Godavari District
and another.

…Respondents

ORDER:

Petitioners question the action of the respondents in taking steps to demolish the houses bearing Nos.1-29, 1-9 and 1-1 of the petitioners and dispossess them from the respective piece of property in Sy.No.1098, 1077/1 A2 and A3 etc., of Pallipalem Village under Antarvedi Revenue Sakhinetipalli Mandal, East Godavari District as illegal and arbitrary.

Petitioners are the owners of the houses bearing Nos.1-29, 1-9 and 1-1 respectively in Sy.Nos.1098, 1088/1 A-2 and A-3 etc., of Pallipalem village, Antarvedi Revenue, Sakhinetipalli Mandal, East Godavari District and they have constructed houses and paying taxes. It is stated that the respondents without following any procedure prescribed under law either alleging that the said houses are constructed without obtaining any permission or any deviations have been made, threatening to dispossess the petitioners from their respective piece of property. It is stated that having received the taxes the respondents are threatening to demolish the houses of the petitioners without any justification.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue on behalf of the respondents.

I am not inclined to express any opinion on the merits of the case whether the petitioners have constructed their houses without obtaining any permission and whether any portion of the property is required either for road widening or implementing the relevant provisions of A.P.Panchayat Raj Act, 1994. However, the respondents cannot demolish any houses of the petitioners without giving any

notice and without following the due procedure prescribed under law.

Accordingly, the respondents are directed not to demolish the houses of the petitioners bearing Nos.1-29, 1-9 and 1-1 and dispossess them from their property in Sy.No.1098, 1077/1 A2 and A3 etc. of Pallipalem village under Antarvedi Revenue, Sakhinetipalli Mandal, East Godavari District, without following due process of law.

The writ petition is disposed of accordingly. No costs.

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V.ESWARAIAH, J.

6.4.2006
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